



JOINT MEETING OF THE MILPITAS CITY COUNCIL & MILPITAS HOUSING AUTHORITY

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122
Para sa Tagalog, tumawag sa 408-586-3051
Para español, llame 408-586-3232

AGENDA

TUESDAY, JUNE 4, 2019

CITY COUNCIL CHAMBERS, 455 E. CALAVERAS BLVD., MILPITAS, CA

6:00 PM (CLOSED SESSION)

7:00 PM (PUBLIC BUSINESS)

CALL JOINT MEETING TO ORDER by Mayor and ROLL CALL by City Clerk

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LABOR NEGOTIATORS - COLLECTIVE BARGAINING

Pursuant to California Government Code Section 54957.6

City Negotiator: Liz Brown, Human Resources Director

Employee Groups: Professional and Technical Group & Mid-Management and Confidential Group

Under Negotiation: Wages, Hours, Benefits, and Working Conditions

(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Employee Position: City Manager

(c) PUBLIC EMPLOYEE APPOINTMENT

Pursuant to Government Code Section 54957

Employee Position: Interim City Manager

CLOSED SESSION ANNOUNCEMENT: Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATION

Proclaim Parks & Recreation Month

PUBLIC FORUM

Those in the audience are invited to address City Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit spoken remarks to three minutes. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. Council may instruct the City Manager to place the item on a future meeting agenda.

ANNOUNCEMENTS

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

APPROVAL OF AGENDA

CONSENT CALENDAR

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the audience or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

C1. Receive City Council Calendar of Meetings for June 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

C2. Approve City Council Meeting Minutes of May 15, 21 and 28, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

Recommendation: Approve the meeting minutes of the City Council special meetings on May 15 and 28, and regular meeting on May 21, 2019.

C3. Approve Project Plans and Specifications, Approve Budget Appropriation, and Adopt a Resolution Awarding a Construction Contract for Street Resurfacing Project 2019, Projects No. 4291 and No. 4296 (Staff Contact: Steve Erickson, 408-586-3301)

Recommendation: Approve project Plans & Specifications and approve a budget appropriation: adopt a resolution awarding a construction contract; authorize the City Manager to execute the contract with the lowest responsible bidder submitting a responsive bid, DeSilva Gates Construction, Inc., in the amount of \$3,691,691 for the Street Resurfacing Project 2019, Projects No. 4291 and No. 4296; and authorize the Engineering Director/City Engineer to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$554,000 for the project.

C4. Adopt a Resolution Approving a Master Equity Lease Agreement with Enterprise Fleet Management through a Cooperative Procurement Contract for an Annual Amount of \$168,000 and a Total Not to Exceed \$840,000 for a Five-Year Period, Subject to the Appropriation of Funds (Staff Contact: Tony Ndah, 408-586-2602)

Recommendation: Adopt a Resolution approving a Master Equity Lease Agreement with Enterprise Fleet Management through a Cooperative Procurement contract with Sourcwell (formerly NJPA), for an annual amount of \$168,000 and a total not to exceed amount of \$840,000 for a five-year period, subject to appropriation of funds.

C5. Adopt a Resolution approving the City of Milpitas' applications for a County of Santa Clara Historic Grant, for projects: Lunar New Year, LGTBQ Pride, Cultural Flag Raising Series, and Carlo Park; delegating authority to the City Manager or her designee, to sign and submit the grant applications to the county of Santa Clara; sign the grant agreements and administer the project on behalf of the City of Milpitas; and, committing the Carlo Park property to the project use for a period of at least twenty years (Staff Contact: Renee Lorentzen, 408-586-3409)

Recommendation: Adopt a Resolution approving the City of Milpitas' applications for a County of Santa Clara Historic Grant, for projects: Lunar New Year, LGTBQ Pride, Cultural Flag Raising Series, and Carlo Park; delegating authority to the City Manager or her designee to sign and submit the grant

applications to the county of Santa Clara; sign the grant agreements and administer the project on behalf of the City of Milpitas; and, committing the Carlo Park property to the project use for a period of at least twenty years.

- C6. Delegation of Authority to the City Manager or Designee to Approve Project Related Documents and Urgent Administrative Items during the Council Recess from June 19 – August 5, 2019 (Staff Contact: Ashwini Kantak, 408-586-3053)**

Recommendation: Approve the delegation of authority to the City Manager (or designee) to approve project related documents and urgent administrative items during the Council recess scheduled from June 19 – August 5, 2019.

- C7. Authorize and Approve Travel for Councilmember Bob Nuñez to Attend the League of California Cities Mayor & Council Members Executive Forum and Advanced Leadership Workshop in Newport Beach, CA Scheduled on June 19 – 21, 2019 (Staff Contact: Ashwini Kantak, 408-586-3053)**

Recommendation: Authorize and approve travel for Councilmember Nuñez to attend the League of California Cities Mayor & Council Members Executive Forum and Advanced Leadership Workshop in Newport Beach, California for a total expense amount not to exceed budgeted Conferences/Meeting budget allocation of \$5,000.

- C8. Approve Accounts Receivable Write-offs for the Fiscal Year Ending June 30, 2019 (Staff Contact: Jane Corpus, 408-586-3125)**

Recommendation: Approve the accounts receivable write-offs for the Fiscal Year ending June 30, 2019.

- C9. Approve and Authorize the City Manager to Execute a Professional Services Agreement with Swinerton Builders in the amount of \$219,983 for Construction Management Services for the Fire Station No. 2 Replacement, Project No. 3447 (Staff Contact: Steve Erickson, 408-586-3301)**

Recommendation: Approve and authorize the City Manager to execute a Professional Services Agreement with Swinerton Builders in the amount of \$219,983 for construction management services for replacement of Fire Station No. 2, Project No. 3447.

- C10. Approve a Professional Services Agreement with Jordan C. Lee doing business as AAA Backflow Prevention Devices for the Annual Amount of \$24,655 (Staff Contacts: Chris Schroeder, 408-586-3161 and Tony Ndah, 408-586-2602)**

Recommendation: Approve the 5 Year Professional Services Agreement with Jordan C. Lee doing business as AAA Backflow Prevention Devices for Backflow Prevention Device Testing and Reporting, for the annual amount of \$24,655 and a total not to exceed \$123,275, subject to appropriation of funds.

PUBLIC HEARINGS

- 11. Conduct a Public Hearing and Consider Approval of Community Development Block Grant Allocations for FY 2019-2020 and Adopt the Draft Annual Action Plan (Staff Contact: Sharon Goei, 408-586-3260)**

Recommendations:

1. Open the public hearing, hear testimony, then move to close the public hearing.
2. Approve the Community Development Block Grant (CDBG) funding for FY 2019-20.
3. Approve the draft FY 2019-2020 Action Plan.

4. Authorize the City Manager (or designee) to make any necessary changes to the approved draft FY 2019-2020 Action Plan as needed to comply with CDBG submission guidelines.
5. Authorize the City Manager to execute CDBG agreements with the approved recipients.
6. Provide direction to staff on any revised Council priorities to guide FY 2020-21 outreach and possible funding opportunities.

12. Conduct a Public Hearing and Adopt Resolutions to Approve the Fiscal Year 2019-20 Operating Budget and the 2019-2024 Capital Improvement Program for the City of Milpitas and the Milpitas Housing Authority, Approve the Fiscal Year 2019-20 Gann Appropriations Limit, Authorize Various Financial Actions, Approving Various Financial Policies, Amend the Classification Plan for Budgetary Reclassifications and Position Authorizations (Staff Contacts: Jane Corpus, 408-586-3125 and Feliser Lee, 408-586-3143)

- 1) Open the public hearing and move to close the hearing following any speakers.
- 2) Adopt the following Resolutions:
 - a. Joint Resolution of the City Council and Milpitas Housing Authority to approve the Fiscal Year 2019-20 Operating Budget and the 2019-2024 Capital Improvement Program for the City of Milpitas and the Milpitas Housing Authority, approve the Appropriations Limit, and authorize various financial actions by the City Manager.
 - b. Amend the Classification Plan to establish new classifications and create title changes and salary ranges, adjust the number of positions on the Authorized Position List, adjust salary ranges for specific classifications, establish classification title changes and amend specific budgeted, allocated positions.
 - c. Amend the Classification Plan to adjust the hourly rate and ranges for classifications due to the minimum wage ordinance.
 - d. Amend Limited Service Employees' eligibility for and list of fringe benefits.
- 3) Approve requests for the City Manager and elected officials to travel out of state in FY 2019-20, per City policy.

COMMUNITY DEVELOPMENT

13. Approve Staff Recommendation of Clear Channel Outdoor for Digital Billboard in Response to Request for Proposals and Authorize the City Manager or Designee to Negotiate a Lease Agreement (Staff Contacts: Alex Andrade, 408-586-3046 and Ned Thomas, 408-586-3273)

Recommendations:

1. Approve staff recommendation of Clear Channel Outdoor as the most qualified vendor for a digital billboard project located at the northern terminus of Barber Court;
2. Authorize the City Manager or her designee to negotiate a Lease Agreement with Clear Channel Outdoor for design, construction and management services of a digital billboard on Barber Court.

LEADERSHIP AND SUPPORT SERVICES

14. Receive an Update on the City Council Rules Subcommittee and Provide Direction on Potential Items for the Subcommittee's Consideration (Staff Contact: Ashwini Kantak, 408-586-3053)

Recommendation: Receive update on the City Council Rules Subcommittee and provide direction on potential Items for the Subcommittee's consideration.

NEXT AGENDA PREVIEW

15. Receive Preview List for the Next Regular City Council meeting on June 18, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)

ADJOURNMENT

NEXT REGULAR CITY COUNCIL MEETING **TUESDAY, JUNE 18, 2019**

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035
e-mail: cdiaz@ci.milpitas.ca.gov / Phone: 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3rd floor 455 E. Calaveras Blvd., Milpitas and on the City website. City Council agendas and related materials can be viewed online here: www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall.
Contact the City Clerk's office at 408-586-3003 for more information.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, please call the City Clerk at 408-586-3001 or send an e-mail to mlavelle@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda or arrange for mobility assistance. For hearing assistance, headsets are available in the City Council Chambers for all meetings.